

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

AMOTEC TECHNOLOGY SOLUTIONS,
LLC, d/b/a AMOTEC STAFFING, GABRIELA
PENA and CARMINE G. IZZO,

Plaintiffs,

v.

SMALL BUSINESS TERM LOANS, INC.,
d/b/a BFS CAPITAL, and BUSINESS
FINANCIAL SERVICES, INC.,

Defendants.

CASE NO. 5:16-cv-00022-FL

**STIPULATION OF
SETTLEMENT AND ORDER
OF DISMISSAL**

WHEREAS plaintiffs AMOTEC TECHNOLOGY SOLUTIONS, LLC, d/b/a AMOTEC STAFFING, GABRIELA PENA and CARMINE G. IZZO (collectively, “**Plaintiffs**”) filed a complaint on January 13, 2016 against Defendants SMALL BUSINESS TERM LOANS, INC., d/b/a BFS CAPITAL, and BUSINESS FINANCIAL SERVICES, INC. (collectively, “**Defendants**”), challenging the arbitration clause and the delegation provision contained in a Secured Promissory Note between Plaintiff Amotec Technology Solutions, LLC and Defendant Business Financial Services, Inc., and

WHEREAS, Plaintiffs and Defendants (collectively, “**Parties**”) have resolved the issues alleged in the complaint in this action, and have negotiated in good faith for that purpose; and

WHEREAS, none of the parties to the above-captioned action is an infant or incompetent person; and

WHEREAS, the Parties wish to discontinue the litigation;

IT IS HEREBY STIPULATED AND AGREED by and between the Parties, through their respective counsel, as follows:

1. The Parties hereby agree that the above-captioned action is dismissed and discontinued with prejudice, pursuant to Rule 41(a) of the Federal Rules of Civil

Procedure in accordance with the terms of their Settlement Agreement.

2. Each of the Parties shall bear its own attorney's fees and costs in this action.

Respectfully submitted, this 4th day of May, 2016.

AMOTEC TECHNOLOGY SOLUTIONS,
LLC, d/b/a AMOTEC STAFFING,
GABRIELA PENA and CARMINE G. IZZO

By: /s/ Suzanne Iazzetta

Suzanne Iazzetta, Esq.

N.C. Bar No. 45680

Of Counsel

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Solutions, LLC, d/b/a Amotec Staffing,
Gabriela Pena and Carmine G. Izzo*

SMALL BUSINESS TERM LOANS, INC.,
d/b/a BFS CAPITAL, and BUSINESS
FINANCIAL SERVICES, INC.

By: /s/ Douglas M Mansfield

Douglas M. Mansfield, Esq.

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*Counsel for Defendants Small Business
Term Loans, Inc., d/b/a BFS Capital, and
Business Financial Services, Inc.*

/s/ Thomas A. Gray

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*Local Civil Rule 83.1 Counsel for
Defendants Small Business Term Loans,
Inc., d/b/a BFS Capital, and Business
Financial Services, Inc.*

SO ORDERED this 17th day of May, 2016.



LOUISE W. FLANAGAN

United States District Judge